

Wetlands Bureau Decision Report

Decisions Taken
02/23/2004 to 02/27/2004

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Brian Fowler, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2003-01993 NH DEPT OF TRANSPORTATION
NEW LONDON Lake Sunapee

Requested Action:

Replace a 4 ft x 4 ft box culvert and two 36 in extensions with a 48 in x 42 ft concrete culvert and add class B stone (30 cubic yards) to protect the inlet and outlet impacting 982 sq ft (396 sq ft temporary) below normal high water.

Inspection Date: 11/07/2003 by Gino E Infascelli

APPROVE PERMIT:

Replace a 4 ft x 4 ft box culvert and two 36 in extensions with a 48 in x 42 ft concrete culvert and add class B stone (30 cubic yards) to protect the inlet and outlet impacting 982 sq ft (396 sq ft temporary) below normal high water. NHDOT project #M216-1.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Maintenance District 2 dated Aug 4, 2003 as received by the Department on Aug. 25, 2003.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
4. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
5. Construction equipment shall not be located within surface waters.
6. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
8. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
9. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Work shall be done during low flow.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(n), fill in public waters.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence, which demonstrates that, the project, as approved and conditioned, is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. The wetland areas to be impacted are limited to areas for repair of a deteriorated culvert and stabilization of the inlet and outlet. The proposed work will provide increased safety to the general public.
6. Based on the inspection conducted on November 17, 2003 by the DES Wetlands Bureau, the project involves minor environmental impacts and half of the impacts are temporary.
7. There are no concerns and no objections to the project.
8. The amount of stone to be placed in public water will be the minimum amount necessary to protect the new inlet and outlet and stabilize the scour hole at the old culvert outlet.

9. The NHDOT will coordinate construction inspections with the NH Department of Environmental Services and the Lake Sunapee Association.

10. Public hearing is waived with the finding that the project impacts will not significantly impair the resources of this lacustrine wetland ecosystem.

-Send to Governor and Executive Council-

2003-02302 STATE OF NH, DOT
ALBANY Swift River

Requested Action:

Request amendment to add a catch basin and a ditch impacting 52 sq. ft. of a stream bank.

Inspection Date: 08/19/2003 by Gino E Infascelli

APPROVE AMENDMENT:

AMENDMENT

Widen, realign and rehabilitate the roadway, regrade ditches, re-align streams, upgrade drainage structures, relocate and enlarge a parking area impacting 75,774 sq. ft. (2,511 sq. ft. temporary) of palustrine and riverine wetlands to provide an improved traveling surface, wider shoulders, reduce horizontal and vertical geometric deficiencies along with improving accessibility and safety at Rocky Gorge Scenic Area. NHDOT project #13632A.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Highway Design dated 08/03 and 09/03 as received by the Department on October 14, 2003; plan (sheet 5 of 20) by NHDOT Bureau of Highway Design as received by the Department on November 12, 2003 and replacement sheet 6 of 20 received on February 18, 2004.
2. This permit is contingent upon the submission of project specific stream diversion and erosion control plans to the DES Wetlands Bureau. Those plans shall detail the timing and method of stream flow diversion during construction, and shall show the temporary siltation, erosion and turbidity control measures to be implemented.
3. This permit is contingent upon the submission, review and approval of the re-planting plans for the stream diversions at the Rocky Gorge Parking area.
4. When the large arch pipes are eventually replaced they shall be made fish friendly.
5. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
6. Unconfined work within the streams, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
7. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
8. Before work begins on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
9. Temporary cofferdams shall be entirely removed immediately following construction.
10. Construction equipment shall not be located within surface waters.
11. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases.
12. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
13. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
15. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized

within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.

16. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

17. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.

18. There shall be no further alteration to wetlands or surface waters without amendment of this permit.

19. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.

20. NHDOT shall receive permission from the US Forest Service to conduct work on Forest Service land prior to the start of any work and in the event of changes to the plans.

21. If the blasting of ledge occurs it shall be conducted in a manner to limit rock deposition in areas of jurisdiction.

22. Blasted rocks shall be removed between blasts with the exception of large rocks that may require additional blasting or drilling prior to removal.

23. The NHDOT shall submit pre and post blast photographs with a legend of view locations where blasted rock has potential to land.

24. A field review shall be coordinated with DES Wetlands Bureau staff following completion of the blasting to review impacts associated with deposited rock.

25. NHDOT shall hire an independent consultant to conduct a post-project environmental assessment of the blasting impacts to areas in DES jurisdiction.

26. The independent consultant shall provide a post project estimate of the volume of rock deposited from the blasting in areas of jurisdiction.

27. If a DES review of the post-project assessment finds that there are significant impacts to jurisdictional areas, NHDOT shall prepare a restoration plan for approval by DES.

2003-02516 PELHAM FISH & GAME CLUB INC
PELHAM Unnamed Wetland

Requested Action:

Dredge and fill a total of 39,649.5 sq. ft. of palustrine forested/ scrub-shrub wetlands of which 20,080.7 sq. ft. are permanent impacts for site work associated with the construction of a 600 yd. shooting range stationed with firing berms.

The remaining 19,568.8 sq. ft. of cleared and stumped wetlands will be seeded and/or planted and combined with other created wetlands on site for a total of 72,435 sq. ft. of compensatory wetlands mitigation.

Inspection Date: 07/18/2003 by Frank D Richardson

APPROVE PERMIT:

Dredge and fill a total of 39,649.5 sq. ft. of palustrine forested/ scrub-shrub wetlands of which 20,080.7 sq. ft. are permanent impacts for site work associated with the construction of a 600 yd. shooting range stationed with firing berms.

The remaining 19,568.8 sq. ft. of cleared and stumped wetlands will be seeded and/or planted and combined with other created wetlands on site for a total of 72,435 sq. ft. of compensatory wetlands mitigation.

With Conditions:

1. All work shall be in accordance with plans and narrative by Schauer Environmental Consultants, LLC dated 02-11-04, as received by the Department on February 17, 2004.

2. This permit is contingent on approval by the DES Site Specific Program.

3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

4. At least 48 hours prior to the start of the compensatory mitigation wetlands construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, the professional engineer(s) and/or

wetlands scientist(s) involved, and the contractor(s) responsible for performing the work.

5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
8. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
9. Silt fencing must be removed once the area is stabilized.
10. Proper headwalls shall be constructed within seven days of culvert installation.

COMPENSATORY WETLANDS MITIGATION

Wetland construction:

1. This permit is contingent upon the creation of 72,435 sq. ft. of wetlands in accordance with plans and narrative by Schauer Environmental Consultants, LLC received by the Department on February 17, 2004.
2. This permit shall not be effective until it has been recorded with the Hillsborough County Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. The compensatory wetlands mitigation creation will provide for 72,435 sq. ft. of palustrine scrub-shrub and emergent wetlands.
4. The scrub-shrub and emergent wetlands shall be maintained with the plants being allowed to grow to the size specifications noted on the 'Planting and Grading Plan' prepared by Schauer Environmental Consultants, LLC, dated 02-11-04 as received by the Department on February 17, 2004.
5. Exceptional care shall be taken to protect the vernal pool located on the site by providing plantings of native vegetation to assure erosion/siltation control and a buffer from human activities at the site.
6. The schedule for construction of the mitigation area shall coincide with site construction unless otherwise considered and authorized by the Wetlands Bureau.
7. The mitigation area shall be properly constructed, monitored, and managed in accordance with approved final mitigation plans.
8. Wetland creation areas shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create functioning wetland areas similar to those of the wetlands impacted by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydrologic regime.
9. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the mitigation areas are constructed in accordance with the mitigation plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
10. The permittee shall notify DES and the local conservation commission in writing of their intention to commence construction no less than 5 business days prior to construction.
11. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the mitigation area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of each mitigation site.
12. Wetland creation areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
13. The permittee shall delineate the wetlands within the mitigation site, document the delineation with data forms, and depict the delineation as an overlay of the final as-built plans after at least five full growing seasons.
14. Wetland soils from areas vegetated with purple loosestrife shall not be used in the wetland creation site. The potential for the establishment of the invasive species should be considered in other areas where spoils may be spread to limit its further establishment.
15. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.
16. A post-construction report documenting the status of the completed project with photographs shall be submitted to the

Wetlands Bureau within 60 days of the completion of construction.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(c), alteration of 39,649.5 sq. ft. of palustrine forested/ scrub-shrub wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that the compensatory wetlands mitigation provides an adequate replacement for the forested wetlands impacted by creating scrub-shrub and emergent wetlands.
4. The created scrub-shrub and emergent wetlands will provide habitat diversity while allowing the proposed use of the firing range to go on unimpeded.
5. The replacement ratio of the mitigation/creation wetlands to the previously impacted wetlands is 1.87:1.
6. DES Staff conducted a field inspection of the proposed project on July 18, 2003. Field inspection determined that a well developed and implemented mitigation plan for created wetlands will compensate for the wetlands impacted by site work done prior to the issuance of this permit.
7. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this palustrine wetland ecosystem or other wetland resources in the environs.

MINOR IMPACT PROJECT

2001-01300 CIARDI, JOHN & JUDITH A
WAKEFIELD Great East Lake

Requested Action:

Permanently remove an existing 8 ft x 22 ft wharf, and install a 6 ft x 40 ft seasonal dock and 2 seasonal boatlifts on an average of 100 ft of frontage on Great East Lake, Wakefield.

Conservation Commission/Staff Comments:

Permit file assigned to RWH until new permitting staff assignment map is produced.

APPROVE PERMIT:

Permanently remove an existing 8 ft x 22 ft wharf, and install a 6 ft x 40 ft seasonal dock and 2 seasonal boatlifts on an average of 100 ft of frontage on Great East Lake, Wakefield.

With Conditions:

1. All work shall be in accordance with plans by John M. Ciardi dated February 20, 2004, as received by the Department on February 23, 2004.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. All portions of the existing 8 ft x 22 ft wharf shall be completely removed from the frontage prior to the construction of any new structure on the frontage.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
6. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
8. These shall be the only structures on this water frontage and all portions of the structures shall be at least 20 ft from abutting

property lines or the imaginary extension of those lines into the water.

9. Seasonal structures shall be removed from the lake for the non-boating season.

10. No portion of the structures shall extend more than 40 feet from the shoreline at full lake elevation.

11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d), removal of a nonconforming wharf and installation of a 2-slip seasonal dock.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

5. DES Staff conducted a field inspection of the proposed project on November 15, 2001 on the request of a complaint. Field inspection determined that nonconforming docking structures with no proof of a permit existed.

6. Applicant has complied with DES by removing the nonconforming structure and applying for a conforming seasonal dock.

2003-01691 BROWNELL, JEFFREY
ALTON Unnamed Wetland

Requested Action:

Construct a driveway impacting 5020 square feet of forested wetlands.

DENY PERMIT:

Construct a driveway impacting 5020 square feet of forested wetlands.

With Findings:

1. A request for additional information dated October 17, 2003, addressed to the applicant and carbon copied to the agent of record, clearly identified changes made to RSA 482-A:3 in 2003, requiring the applicant to submit additional information to DES within 120 days of the request.

2. Pursuant to RSA 482-A, XIV(b), if the requested additional information is not received by DES within 120 days of the request, DES shall deny the application.

3. DES did not receive the requested additional information within the 120 days and therefore the application has been denied.

2003-01740 VIENNEAU, JOHANNA
EFFINGHAM Unnamed Wetland

Requested Action:

Dredge 4720 square feet to create a wildlife pond.

With Findings:

1. A request for additional information dated October 14, 2003, addressed to the applicant or agent of record, clearly identified changes made to RSA 482-A:3 in 2003, requiring the applicant to submit additional information to DES within 120 days of the request.

2. Pursuant to RSA 482-A, XIV(b), if the requested additional information is not received by DES within 120 days of the request, DES shall deny the application.

3. DES did not receive the requested additional information within the 120 days and therefore the application has been denied.

2003-02017 CHANDLER STREET LLC
HUDSON Unnamed Wetland

Requested Action:

Dredge and fill 850 sq. ft. of palustrine wet meadow and install 60 linear feet of 15 in. dia. culvert to construct a roadway crossing for a residential housing site.

APPROVE PERMIT:

Dredge and fill 850 sq. ft. of palustrine wet meadow and install 60 linear feet of 15 in. dia. culvert to construct a roadway crossing for a residential housing site.

With Conditions:

1. All work shall be in accordance with plans by Maynard & Paquette Engineering Associates, LLC dated June 26, 2003, as received by the Department on September 05, 2003.
2. This permit is contingent on approval by the DES Site Specific Program.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for other construction activities.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Culvert outlets shall be properly rip rapped.
8. Work shall be done during low flow.

2003-02018 MONAHAN-FOURTIN PROPERTIES LLC
HUDSON Unnamed Wetland

Requested Action:

Dredge and fill 16,500 sq. ft. of palustrine scrub-shrub/wet meadow wetlands to construct a roadway/culvert crossing to provide access to a 101-unit elderly housing complex on a 30 acre parcel of land.

Conservation Commission/Staff Comments:

The Hudson Conservation Commission voted 4 to 1 in favor of recommending approval of the application.

APPROVE PERMIT:

Dredge and fill 16,500 sq. ft. of palustrine scrub-shrub/wet meadow wetlands to construct a roadway/culvert crossing to provide access to a 101-unit elderly housing complex on a 30 acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by Maynard & Paquette Engineering Associates, LLC dated April 2, 1999, as received by the Department on September 05, 2003.
2. This permit is contingent on approval by the DES Site Specific Program.
3. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
4. No stumps shall be removed within 50 feet of the reference line per RSA 483-B (see attached fact sheet).
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for other construction activities.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Culvert outlets shall be properly rip rapped.

10. Work shall be done during low flow.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), alteration of 16,500 sq. ft. of palustrine scrub-shrub/wet meadow to construct a roadway/ culvert crossing.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

2003-02106 LETENDRE, WILLIAM
TILTON Unnamed Wetland

Requested Action:

Dredge and fill 14,591 square feet to construct an access road for the development of 58.76 acres into condominium units. Mitigate the proposed impacts with a 17.66 acre conservation easement to be granted to the Town of Tilton containing 6.29 acres of wetlands and 11.37 acres of upland buffer.

Conservation Commission/Staff Comments:

The conservation commission did not comment on this application.

APPROVE PERMIT:

Dredge and fill 14,591 square feet to construct an access road for the development of 58.76 acres into condominium units. Mitigate the proposed impacts with a 17.66 acre conservation easement to be granted to the Town of Tilton containing 6.29 acres of wetlands and 11.37 acres of upland buffer.

With Conditions:

1. All work shall be in accordance with plans by Holden Engineering and Surveying Inc dated August 8, 2003, and revised through February 13, 2003 as received by the Department on February 19, 2003 and Mitigation Plans by Holden Engineering and Surveying Inc, as received by the Department on February 24, 2004.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on obtaining a variance from RSA 483-B, The Comprehensive Shoreland Protection Act.
4. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #5 of this approval.
7. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
8. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, NH to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
9. Work shall be done during low flow.
10. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
11. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
13. Proper headwalls shall be constructed within seven days of culvert installation.
14. Culvert outlets shall be protected in accordance with the Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in

New Hampshire (August, 1992).

15. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

16. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

17. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

18. Silt fencing must be removed once the area is stabilized.

19. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

MITIGATION CONDITIONS

20. This permit is contingent upon the execution of a conservation easement on 17.66 acres.

21. The conservation easements to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.

22. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.

23. The applicant shall prepare a report summarizing existing conditions within the conservation area. Said report shall contain photographic documentation of the easement area, and shall be submitted to the DES and the grantee prior to construction to serve as a baseline for future monitoring of the easement area.

24. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.

25. The Wetlands Bureau shall be notified of the placement of the easement monuments to coordinate on-site review of their location prior to construction.

26. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.

27. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. The project is categorized as a Minor Impact Project, per Administrative Rule Wt 303.03(h), as the project involves less than 20,000 square feet of alteration in nontidal wetlands.

2. To minimize wetlands impacts the access roadway has been designed to incorporate 2:1 side slopes at the wetland crossings.

3. The applicant will preserve, through execution of a conservation easement, approximately 17.66 acres of wetlands (6.29 acres) and contiguous upland buffer (11.37 acres) on-site.

4. The proposed mitigation will exceed the preservation to impact ratios in the draft mitigation rules.

5. In a letter to the DES Wetlands Bureau dated January 21, 2004, the Town of Tilton indicated they were interested in holding this conservation easement.

6. The need for the proposed jurisdictional impacts has been demonstrated by the applicant per Rule Wt 302.01.

7. The applicant has provided evidence which demonstrates that the proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.

8. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.

9. DES Site Specific program issued a permit for the proposed project WPS-6699, February 19, 2003.

10. DES Shoreland Protection issued a variance to RSA 483-B.

2003-02437 GPR REALTY LLC
HUDSON Merrill Brook

Requested Action:

Dredge and fill a total of 9,450 sq. ft. of previously disturbed palustrine scrub-shrub wetlands to construct an access aisle and roadway with culvert crossing and appurtenant drainage structures for commercial lot development.

APPROVE PERMIT:

Dredge and fill a total of 9,450 sq. ft. of previously disturbed palustrine scrub-shrub wetlands to construct an access aisle and a roadway with culvert crossing and appurtenant drainage structures for commercial lot development.

With Conditions:

1. All work shall be in accordance with plans by Maynard & Paquette Engineering Associates, LLC dated February 28, 2003, as received by the Department on October 30, 2003.
2. This permit is contingent on approval by the DES Waste Management Division (Asbestos fill remediation).
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for other construction activities.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Culvert outlets shall be properly rip rapped.
9. Work shall be done during low flow.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), alteration of 9,450 sq. ft. of previously disturbed palustrine scrub-shrub wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.

2004-00096 SEA COTTAGE REALTY LLC
RYE Tidal Buffer

Requested Action:

Impact a total of 1,748 square feet of developed upland tidal buffer zone for the replacement of a failing effluent disposal system; temporary impacts total 1,608 square feet of developed upland tidal buffer zone, and permanent impacts total 140 square feet of developed upland tidal buffer zone.

APPROVE PERMIT:

Impact a total of 1,748 square feet of developed upland tidal buffer zone for the replacement of a failing effluent disposal system; temporary impacts total 1,608 square feet of developed upland tidal buffer zone, and permanent impacts total 140 square feet of developed upland tidal buffer zone.

With Conditions:

1. All work shall be in accordance with plans by NH Soil Consultants, Inc. dated November 2003, as received by the Department on January 16, 2004.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.

5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Repair shall maintain existing size, location and configuration.
7. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
8. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(b), projects that involve work within 50 feet of a saltmarsh.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01; the proposed impacts are needed to replace the existing, failing septic system.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03; the system replacement will constitute a tremendous improvement over the existing and historical conditions on the property.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has provided the written approval of the abutter whose property line exists within 20 feet of the proposed work.
6. NH Natural Heritage Inventory (NHNHI) has record of one plant species of special concern within the project area, Beach Grass (*Ammophila breviligulata*).
7. DES review of this application finds that the NHNHI identified plant species will not be negatively impacted as a result of this project, as the identified plant species does not exist within the work area.
8. DES waives RSA 483-B:9 (V)(b)(2)(A)(i), as the proposed replacement system will not be setback a distance of 125 feet from the highest observable tide line (HOTL), but at a distance of 66.5 feet from the HOTL of the ocean, and 69 feet from the HOTL of the saltmarsh. The proposed location represents the greatest distance possible from both HOTLs, and greatly improves the environmental condition of the property, therefore bringing the property more nearly into conformance with RSA 483-B, the Comprehensive Shoreland Protection Act.

MINIMUM IMPACT PROJECT

2003-01935 DUMAIS, KENNETH & ROBIN
LACONIA Lake Winnepesaukee

Requested Action:

Drive 2 pilings in the bank to hinge a 4 ft by 33 ft seasonal dock accessed by an existing stairway and ramp over the bank on 58 ft of frontage on Lake Winnepesaukee, Laconia.

Conservation Commission/Staff Comments:

No Con Com comments by 02/02/04

APPROVE PERMIT:

Drive 2 pilings in the bank to hinge a 4 ft by 33 ft seasonal dock accessed by an existing stairway and ramp over the bank on 58 ft of frontage on Lake Winnepesaukee, Laconia.

With Conditions:

1. All work shall be in accordance with plans by Normandin, Cheney and O'Neil dated December 23, 2003, revision date February 18, 2004, as received by the Department on February 23, 2004.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft from the south property

line and its imaginary extension over the water and 1 ft from the north property line and its imaginary extension over the water as agreed upon by the north abutter on October 4, 2003.

4. The pilings shall be located entirely landward above and behind elevation 504.32.
5. Seasonal pier shall be removed from the lake for the non-boating season.
6. No portion of the pier shall extend more than 33 feet from the shoreline at full lake elevation.
7. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.02(a).

2003-01950 SZCZAPA, KIMBERLY & HEATHER SWEET
OSSIPEE Ossipee Lake

Requested Action:

Retain 8 cu yd of sand used to replenish 200 sq ft of beach on 50 ft of frontage on Ossipee Lake.

APPROVE AFTER THE FACT:

Retain 8 cu yd of sand used to replenish 200 sq ft of beach on 50 ft of frontage on Ossipee Lake.

With Conditions:

1. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
2. This approval does not allow for annual beach replenishment. Future beach replenishment will require a new permit, to be obtained prior to the placement of any sand.
3. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
4. All activity on this frontage shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(d), replenishment of a single family beach with less than 10 cy yd of sand.

2003-02012 SHARPIRO, EDWARD
TUFTONBORO Unnamed Wetland

Requested Action:

Impact 1480 square feet of forested wetland for access and septic setback.

DENY PERMIT:

Impact 1480 square feet of forested wetland for access and septic setback.

With Findings:

1. A request for additional information dated November 5, 2003, addressed to the owner and carbon copied to the agent of record, clearly identified changes made to RSA 482-A:3 in 2003, requiring the applicant to submit additional information to DES within 120 days of the request.
2. Pursuant to RSA 482-A, XIV(b), if the requested additional information is not received by DES within 120 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 120 days and therefore the application has been denied.

2003-02023 WEARE, TOWN OF
WEARE Horce Lake

Requested Action:

Stabilize approximately 400 linear feet of eroded shoreline utilizing bioengineered bank stabilization techniques on Lake Horace, Weare.

Inspection Date: 10/23/2003 by Jeffrey D Blecharczyk

APPROVE PERMIT:

Stabilize approximately 400 linear feet of eroded shoreline utilizing bioengineered bank stabilization techniques on Lake Horace, Weare.

With Conditions:

1. All work shall be in accordance with plans by the applicant dated January 13, 2004, as received by the Department on February 11, 2004.
2. DES staff shall be notified in writing prior to commencement of work and upon completion of restoration activities.
3. Work shall be done in the dry during drawdown.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering the lake bed. Faulty equipment shall be repaired prior to entering jurisdictional areas.
6. Refueling of equipment shall occur prior to entering jurisdictional areas.
7. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during the restoration.
8. Natural vegetation shall be left intact to the maximum extent possible.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Live stake plantings shall have at least 75% successful establishment of vegetation after two (2) growing seasons, or it shall be replanted and re-established until a functional vegetated buffer is established in a manner satisfactory to the DES Wetlands Bureau.
11. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(o), based on the minimum degree of environmental impact.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on October 23, 2003. Field inspection determined extensive undercutting along various sections of the shoreline.
6. DES has determined the use of bioengineering techniques along the frontage will provide appropriate stabilization with minimal impacts to the environment.
7. The Department has determined the project will benefit the environment by substantially reducing sediment loading to the lake.

2003-02088 BLAISLAKE LLC
WOLFEBORO Lake Winnepesaukee

Requested Action:

Install a 6 ft x 40 ft seasonal dock hinged to a 6 ft x 3 concrete pad, and install a 8 ft x 8 ft seasonal boatlift covered with a 12 ft x 25 ft seasonal canopy on an average of 138 ft of frontage on Wolfeboro Neck, Lake Winnepesaukee.

Conservation Commission/Staff Comments:

Con. Com. did not object to project.

APPROVE PERMIT:

Install a 6 ft x 40 ft seasonal dock hinged to a 6 ft x 3 concrete pad, and install a 8 ft x 8 ft seasonal boatlift covered with a 12 ft x 25 ft seasonal canopy on an average of 138 ft of frontage on Wolfeboro Neck, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Allen P. Folsom, Jr. of Beckwith Builders dated February 20, 2004, as received by the Department on February 24, 2004.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
8. Seasonal structures, including docks, boatlifts and canopies shall be removed from the lake for the non-boating season.
9. No portion of the pier shall extend more than 40 feet from the shoreline at full lake elevation.
10. Canopies shall be of flexible fabric and shall be removed for the non-boating season. This permit may be amended if DES canopy policy allows lengths greater than a legal boatslip.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(a), construction of a 2-slip hinged seasonal dock with (1) canopy and (1) seasonal boatlift.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. Applicant objects to the DES canopy policy, limiting canopies to the length of a legal boatslip.

2003-02515 NH DEPT OF TRANSPORTATION, DISTRICT ONE
DUMMER Pontook Reservoir

Requested Action:

Fill three areas of wet meadow for a total impact of 2,450 sq. ft. and stabilize with vegetation to repair eroded highway side slopes.

APPROVE PERMIT:

Fill three areas of wet meadow for a total impact of 2,450 sq. ft. and stabilize with vegetation to repair eroded highway side slopes.
NHDOT project #M106-9.

With Conditions:

1. All work shall be in accordance with plans by NHDOT District 1, dated 10/13/03 as received by the Department on November 10, 2004.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
3. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
4. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
5. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.
6. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
7. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
8. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.

2003-02570

WEATHERBIE, MATTHEW & SUSAN

CENTER HARBOR Squam Lake

Requested Action:

Amend permit to place 16 cy of clean rock material in the waterbody to facilitate the removal of two additional abandoned cribs from the waterbody.

Conservation Commission/Staff Comments:

No Con Com comments by 01/02/04

APPROVE AMENDMENT:

Temporarily place 16 cy of clean rock in the waterbody to facilitate the permanent removal of the remnants of an abandoned docking structure consisting of three abandoned cribs from the lakebed in Squam Lake, Center Harbor.

With Conditions:

1. All work shall be in accordance with plans by DMC Surveyors dated December 9, 2003, as received by the Department on January 16, 2004 and amendment request by BH Keith dated February 25, 2004, as received by the Department on February 26, 2004.
2. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

6. Work shall be done during drawdown.
7. Area shall be regraded to original contours following completion of work.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. No more than 16 cy of clean rock may be placed in the waterbody for the removal of the abandoned cribs.
10. All material placed in the lake to facilitate the removal of the abandoned cribs shall be completely removed from the waterbody at the completion of the project.
11. The shoreline shall be restored to it's original condition upon the completion of the dredge.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(o).
2. The removal of the crib debris will improve navigation and remove a boating hazard in this area of Squam Lake.

2003-02821 CIARDI, ROBERT
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Replace existing docking system with a 6 ft by 40 ft seasonal dock accessed by a 6 ft by 10 seasonal ramp in an "L" shaped configuration, install a seasonal boatlift with a 25 ft canopy in the west boatslip, move an existing gazebo back behind the 20 ft shoreline setback on 401 ft of frontage on Lake Winnepesaukee, Moultonborough.

Conservation Commission/Staff Comments:

Con Com questions, Gazebo, lift has roof, shoreline modified, patio, beach permit not found.

APPROVE PERMIT:

Replace existing docking system with a 6 ft by 40 ft seasonal dock accessed by a 6 ft by 10 seasonal ramp in an "L" shaped configuration, install a seasonal boatlift with a 25 ft canopy in the west boatslip, move an existing gazebo back behind the 20 ft shoreline setback on 401 ft of frontage on Lake Winnepesaukee, Moultonborough.

With Conditions:

1. All work shall be in accordance with plans by Robert Coppo dated December 1, 2003, as received by the Department on December 22, 2003 and letter dated February 24, 2004, as received by the Department on February 24, 2004.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
5. Existing rocks shall be used for the attachment points of the docking structure.
6. Seasonal pier shall be removed from the lake for the non-boating season.
7. Seasonal boatlift shall be removed for the non-boating season.
8. Canopies shall be of flexible fabric and shall be removed for the non-boating season.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(a).

2004-00095 SENATOR DEVELOPMENT LLC
WILTON Unnamed Wetland

Requested Action:

Dredge and fill approximately 485 square feet of a seasonal stream channel to provide access to 1 lot of a 16-Lot subdivision

APPROVE PERMIT:

Dredge and fill approximately 485 square feet of a seasonal stream channel to provide access to 1 lot of a 16-Lot subdivision

With Conditions:

1. All work shall be in accordance with dredge and fill plans by Sanford Surveying and Engineering dated November 17, 2003, as received by the Department on January 16, 2004 and subdivision plans, revision date December 17, 2003, as received by the Department on February 23, 2004.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
6. Work shall be done during low flow.
7. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Culvert outlets shall be properly rip rapped.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(n), alteration of less than 50 linear feet of channel and banks of a seasonal stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

FORESTRY NOTIFICATION

2004-00257 CUMMINGS, MARK & MARY
EAST WASHINGTON Unnamed Stream

COMPLETE NOTIFICATION:

East Washington Tax Map 23, Lot# 53

2004-00270 KARLSON, RONALD
NEWBURY Unnamed Stream

COMPLETE NOTIFICATION:

Newbury Tax Map 41, Lot# 552,363

2004-00271 SIDERCHUCK, ROBERTA & LAURISTON TUFTS
STRAFFORD Unnamed Stream

COMPLETE NOTIFICATION:
Strafford Tax Map 7, Lot# 41-A

2004-00275 BREAKFAST HILL GOLF CLUB LLC
GREENLAND Unnamed Stream

COMPLETE NOTIFICATION:
Greenland Tax Map R7, Lot# 19

2004-00276 HARKINGTON, DAVID & DANIEL
DOVER Unnamed Stream

COMPLETE NOTIFICATION:
Dover Tax Map B1, Lot# 8-5

2004-00277 HERTEL, VAN
PITTSFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Pittsfield Tax Map 44, Lot# 9

2004-00288 WORCESTER, FREDERICK
HOLLIS Unnamed Stream

COMPLETE NOTIFICATION:
Hollis Tax Map 29, Lot# 1 & 37

2004-00292 MEADOWSEND TIMBERLANDS LTD
ANTRIM Unnamed Stream

COMPLETE NOTIFICATION:
Antrim Tax Map 9, Lot# 7, 75 & 83

EXPEDITED MINIMUM

2002-00527 STRUBLE, LINDA
DOVER Atlantic Ocean

Requested Action:

Amend original permit to construct a 22ft. x 24 ft. garage with finished second floor in previously developed upland tidal buffer zone, 80 ft. from the highest observable tide line with the following change: construct a 24 ft. x 26 ft. garage with a finished second floor in previously developed upland tidal buffer zone, 90 ft. from the highest observable tide line.

Conservation Commission/Staff Comments:

Con. Com. signed minimum expedited application.

APPROVE AMENDMENT:

Amend original permit to construct a 22ft. x 24 ft. garage with finished second floor in previously developed upland tidal buffer zone, 80 ft. from the highest observable tide line with the following change: construct a 24 ft. x 26 ft. garage with a finished second floor in previously developed upland tidal buffer zone, 90 ft. from the highest observable tide line.

With Conditions:

1. All work shall be in accordance with plans by McEneaney Survey and Spencer Struble dated February 25, 2004, as received by the Department on February 25, 2004.
2. Coastal staff shall be notified in writing prior to commencement of work and upon completion.
3. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
4. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and remain in until the area is stabilized. Silt fencing must be removed once the area is stabilized.
6. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

2002-02056 GREENLAND, TOWN OF
GREENLAND Pickering Brook Salt Marsh

Requested Action:

Amend permit to include an additional 10,708 square feet of impact to excavate 4 pools to provide enhanced habitat for fish, invertebrates, wading birds and submerged aquatic vegetation.

Dredged materials will be utilized to partially fill 13 man-made drainage ditches on the Pickering Creek salt marsh (areas northerly of the creek) to complete Phase 2 restoration activities, which promotes reclamation of the natural high marsh surface.

Conservation Commission/Staff Comments:

*In a letter dated 9/10/02, NH DHR stated that there are no known properties of significance within the area of the project.

*In a letter dated 8/26/02, NHI stated the there are no known occurrences of sensitive species near the project area.

Inspection Date: 02/24/2004 by Craig D Rennie

APPROVE AMENDMENT:

Amend permit to read: Dredge and fill approximately 17,238 square feet of tidal wetland to restore the hydrology of a 42 acre degraded salt marsh along Pickering Creek and adjacent to Great Bay.

Work will include ditch sloping and maintenance, installing 12 ditch plugs within existing drainage ditches, creating 6 constructed pools to enhance habitat for fish, invertebrates, wading birds and submerged aquatic vegetation. Short connecting channels (runnels) will be constructed between pools. Dredged materials will be utilized to fill mosquito breeding depressions, and to partially fill 14 man-made drainage ditches.

With Conditions:

1. All work shall be in accordance with plans by Swamp Inc, as received by the Department on 9/16/02; and by revised plans by

Ducks Unlimited Inc, as received by the Department on 2/18/03 and 2/20/04.

2. Work on the salt marsh shall occur during the months of August through the following April. No work on the marsh shall occur after April 30 unless a waiver of this condition is issued from the DES Wetlands Bureau.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. DES coastal restoration staff shall be notified in writing prior to commencement of work and upon completion of restoration activities.
5. Construction equipment shall have specialized low ground pressure tracks, which impact less than four (4) pounds per square inch when loaded, or the permittee shall utilize timber or plywood mats beneath machines when driving over wetland areas.
6. Timber or plywood mats shall be utilized in all areas of the marsh where construction equipment is required to travel or turn multiple times over the same area.
7. All weight distribution mats shall be removed from the marsh within a minimum practicable time period.
8. Dredged material shall be stockpiled outside of any area that is within the jurisdiction of the DES Wetlands Bureau.
9. The applicant shall re-use sod mats that are removed for panne/pool creation areas to cover the fill material that is placed in man-made ditches, as depicted on the revised plans.
10. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
11. The permittee shall submit monitoring reports to the DES Wetlands Bureau according to the specifications stated in the "Monitoring Requirements for SALT MARSH Restoration Projects", NH Coastal Program, September 1998.

With Findings:

1. This project is considered a Minimum Impact Project per Rule Wt 303.04(t), as the project proposes to restore the hydrology and open water habitat of a 42 acre tidal wetland along Pickering Creek and Great Bay.
2. Drainage ditches have degraded the salt marsh by lowering the water table and eliminating most pool and panne habitats. The purpose of the project is to restore the hydrology and open water habitat of the marsh by utilizing various restoration techniques which create panne/pool habitats for fish and water bird use while controlling mosquitoes via predatory minnows. Overall biodiversity will be restored to the Pickering Creek salt marsh through this cooperative effort.
3. Pre and post restoration monitoring will be accomplished through the protocols developed by the Gulf of Maine and the NH Office of State Planning.
4. This project is a cooperative partnership between the Town of Greenland, the NH Coastal Program, the US Fish & Wildlife Service, Great Bay National Estuarine Research Reserve, National Oceanic & Atmospheric Administration, Portsmouth Country Club, University of NH, Ducks Unlimited, SWAMP Inc, and NH DES Wetlands Bureau.
5. NH DES Salt Marsh Restoration Technical Advisory Staff have been involved with the planning and development of this salt marsh restoration project along with other project partners.
6. Permit amendments have been necessary to react to lessons learned from Phase 1 data collection and to promote an adaptive management plan for salt marsh restoration.

2003-02494 BINGHAM, GORDON
NEW LONDON Unnamed Wetland

Requested Action:

Dredge and fill approximately 280 square feet within a seasonal drainage to relocate a culvert, install utilities and restore flowage

APPROVE PERMIT:

Dredge and fill approximately 280 square feet within a seasonal drainage to relocate a culvert, install utilities and restore flowage

With Conditions:

1. All work shall be in accordance with plans by Blakeman Engineering, Inc. dated February 14, 2004, as received by the Department on February 19, 2004.
2. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.

3. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
4. No fill shall be done for lot development.
5. Work shall be done during non flow.
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Natural vegetation shall be left intact to the maximum extent possible.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Culvert outlets shall be properly rip rapped.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 sq ft of nontidal wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2004-00086 ZIMARDO, JOHN & ELIZABETH SMITH
JAFFREY Thorndike Pond

Requested Action:

Construct a 4 ft by 24 ft seasonal dock on 68 ft of frontage on Thorndike Pond, Jaffrey.

Conservation Commission/Staff Comments:

Con Com signed Exp Applicaton

APPROVE PERMIT:

Construct a 4 ft by 24 ft seasonal dock on 68 ft of frontage on Thorndike Pond, Jaffrey.

With Conditions:

1. All work shall be in accordance with plans by as received by the Department on February 20, 2004.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
4. Seasonal pier shall be removed from the lake for the non-boating season.
5. No portion of the pier shall extend more than 24 feet from the shoreline at full lake elevation.
6. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(a).

2004-00163 WALKER, KENNETH
WESTMORELAND Unnamed Wetland

Requested Action:

Install two 18-inch x 25 foot culverts impacting 1,950 square feet of palustrine forested wetlands to provide access to a proposed single family residence.

Conservation Commission/Staff Comments:

Westmoreland Conservation Commission signed the expedited application.

APPROVE PERMIT:

Install two 18-inch x 25 foot culvert impacting 1,950 square feet of palustrine forested wetlands to provide access to a proposed single family residence.

With Conditions:

1. All work shall be in accordance with plans by Forest Designs dated June 2, 2003, as received by the Department on January 30, 2004.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Work shall be done in the dry.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Culvert inverts shall be laid at existing grade.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Culvert outlets shall be properly rip rapped in accordance with the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), as the project will alter less than 3,000 square feet of non tidal wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has provided information that all work within Wetlands Bureau jurisdiction will be a minimum of 20 feet from the abutting property lines.
6. The project design provides culvert sizing in excess of the immediate down gradient culvert crossing.
7. The Department has determined the proposed culvert crossing will have no adverse effect on the environment.

GOLD DREDGE

2004-00301 GRASSO, TRACY
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath Con Comm

2004-00304 TAYLOR III, GERALD
(ALL TOWNS) Unnamed Stream

LAKES-SEASONAL DOCK NOTIF

2004-00291 MILLER, DOUGLAS
HARRISVILLE Childs Bog

COMPLETE NOTIFICATION:
Harrisville Tax Map 60, Lot# 29 Child's Bog

PERMIT BY NOTIFICATION

2004-00259 BULLERWELL, BRUCE/SHARON
GILMANTON Unnamed Wetland

Requested Action:
Construct a driveway with culvert impacting 740 sq. ft. of forested wetland.

PBN IS COMPLETE:
Construct a driveway with culvert impacting 740 sq. ft. of forested wetland.

2004-00278 ALTON, TOWN OF
ALTON Lake Winnepesaukee

Requested Action:
Replace 14 pilings supporting 2 decks over the water.

Conservation Commission/Staff Comments:
Alton Conservation Comission sign this PBN

2004-00280 SALEMME, ROBERT
GILFORD Lake Winnepesaukee

Requested Action:

Repair existing crib dock not in kind.

PBN DISQUALIFIED:

Repair existing crib dock not in kind.